

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Burchette, Jr.) Attorney reference: 30924-01
)
Application No.:	10/785,214) Examiner: Vernal U. Brown
)
Filing Date:	February 24, 2004) Group Art Unit: 2612
)
Title: Fingerprint Vehicle Access System) Confirmation No.: 8815
)
) Customer No.: 46591

**RESPONSE TO NOTIFICATION OF
NON-COMPLIANT APPEAL BRIEF UNDER 37 CFR 41.37**

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed February 26, 2008, please enter the following amendments.

A clean copy of the claims on appeal begin at page 2.

In the Claims:

Claims 1 through 16, 18, 21-22, 27 and 31-33 (Cancelled).

17. (Previously Presented) A device according to claim 19 further comprising a rechargeable backup battery of sufficient capacity to enable a device to provide access to the vehicle and to start the vehicle after partially recharging the main battery when a main battery has been discharged.

18. (Cancelled)

19. (Previously Presented) An aftermarket device to provide fingerprint access to the interior of an enclosed vehicle, said vehicle having an electrically or electronically activated access control system, comprising:

a) a protective housing mounted on the exterior of said vehicle, said housing including at least an electronic fingerprint sensor and a hinged protective rigid cover over said sensor;

b) means for connecting said sensor to a power source;

c) means for connecting said fingerprint sensor to an electronic circuit for storing and verifying electronic fingerprint information;

d) means to activate said electronic circuit, switching said circuit from a low-power sleep state to a higher-power active state wherein said sensor can acquire a fingerprint; and

e) means to activate at least one device which allows access control upon verification of electronically stored fingerprint information.

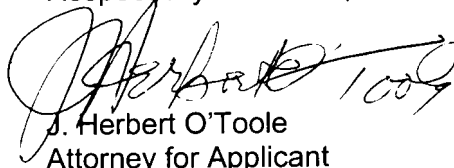
20. (Previously Presented) A device according to claim 19 wherein said protective housing includes a sealed unit containing at least one electronic fingerprint sensor.

21. (Cancelled)

22. (Cancelled)
23. (Previously Presented) A device according to claim 19 wherein said means to activate said electronic circuit is at least one switch separate from said hinged cover.
24. (Previously Presented) A device according to claim 23 wherein said means to activate said electronic circuit includes means to select a function.
25. (Previously Presented) A device according to claim 23 wherein multiple switches separate from said hinged cover each select a different function.
26. (Previously Presented) A device according to claim 19 wherein said electronic circuit for storing and verifying electronic fingerprints is within said protective housing.
27. (Cancelled)
28. (Previously Presented) A device according to claim 19 further comprising a shuttle card reader within or without a vehicle which reads a shuttle card enrolled at a different location with fingerprint information.
29. (Previously Presented) A device according to claim 28 wherein said shuttle card is radio frequency identification device containing fingerprint information.
30. (Cancelled)
31. (Cancelled)
32. (Cancelled)
33. (Cancelled)
34. (Previously Presented) A device according to claim 19 further comprising a detachable enroller device which is password protected with a vehicle specific password and enables enrollment of a fingerprint in an electronic circuit for storing and verifying electronic fingerprint information.

35. (Previously Presented) A device according to claim 34 wherein said enroller device enrolls a shuttle card containing fingerprint information.
36. (Previously Presented) An enroller according to claim 34 which derives power from an electronic circuit for storing and verifying electronic fingerprint information.
37. (Previously Presented) A device according to claim 19 further comprising a starter interlock which prevents starter actuation without the presentation of a valid fingerprint.
38. (Previously Presented) A method for the prevention of unauthorized use of a vehicle comprising a system to provide fingerprint access to a vehicle and a relay which is a starter interlock, wherein a valid fingerprint must be provided to said system before a starter motor can be operated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Herbert O'Toole", with a stylized flourish extending to the right.

J. Herbert O'Toole
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Date: March 4, 2008